

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
DISTRICT COURT OF GUAM

DEC 19 2007

JEANNE G. QUINATA
Clerk of Court

ROBERTO DEL ROSARIO,

Plaintiff - Appellant,

V.

JAPAN AIRLINES INTERNATIONAL
CO. LTD.,

Defendant - Appellee.

No. 06-16573

D.C. No. CV-04-00028-VEM

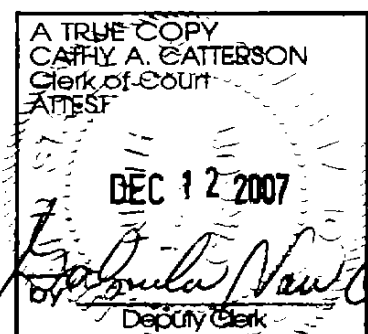
JUDGMENT

Appeal from the United States District Court for the USDC - UNITED STATES DISTRICT COURT OF GUAM (HAGATNA).

This cause came on to be heard on the Transcript of the Record from the United States District Court for the USDC - UNITED STATES DISTRICT COURT OF GUAM (HAGATNA) and was duly submitted.

On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and hereby is **AFFIRMED**.

Filed and entered 11/20/07



FILED

NOV 20 2007

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

ROBERTO J. DEL ROSARIO,

Plaintiff - Appellant,

v.

JAPAN AIRLINES INTERNATIONAL
CO. LTD.,

Defendant - Appellee.

No. 06-16573

D.C. No. CV-04-00028-VEM

MEMORANDUM*

Appeal from the United States District Court
for the District of Guam
Joaquin V.E. Manibusan, Jr., Magistrate Judge,** Presiding

Submitted October 22, 2007***

Before: B. FLETCHER, WARDLAW, and IKUTA, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The parties consented in writing to proceed before a magistrate judge.

*** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Form 10. Bill of Costs

FILED

DEC - 3 2007

United States Court of Appeals for the Ninth Circuit
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**BILL OF COSTS**

Note: If you wish to file a bill of costs, it MUST be submitted on this form and filed, with the clerk, with proof of service, within 14 days of the date of entry of judgment, and in accordance with Circuit Rule 39-1. A late bill of costs must be accompanied by a motion showing good cause. Please refer to FRAP 39, 28 U.S.C. § 1920, and Circuit Rule 39-1 when preparing your bill of costs.

Roberto J. Del

Rosario and Melanie Japan Airlines

Del Rosario V. International Co., Ltd.

CA No. 06-16573

The Clerk is requested to tax the following costs against: Plaintiff-Appellant

Cost Taxable under FRAP 39, 28 U.S.C. § 1920, Circuit Rule 39-1	REQUESTED Each Column Must Be Completed				ALLOWED To Be Completed by the Clerk			
	No. of Docs.*	Pages per Doc.	Cost per Page **	TOTAL COST	No. of Docs.	Pages per Doc.	Cost per Page	TOTAL COST
Excerpt of Record	7	15	.10	10.50	7	15	.10	10.50
Appellant's Brief								
Appellee's Brief	20	33	.10	66.00	20	30	.10	66.00
Appellant's Reply Brief								
TOTAL				\$ 76.50	TOTAL \$ 76.50			

COPY

Form 10. Bill of Costs - Continued

Other: Any other requests must be accompanied by a statement explaining why the item(s) should be taxed pursuant to Circuit Rule 39-1. Additional items without such supporting statements will not be considered.

Attorneys fees cannot be requested on this form.

* If more than 7 excerpts or 20 briefs are requested, a statement explaining the excess number must be submitted.

** Costs per page may not exceed .10 or actual cost, whichever is less. Circuit Rule 39-1.

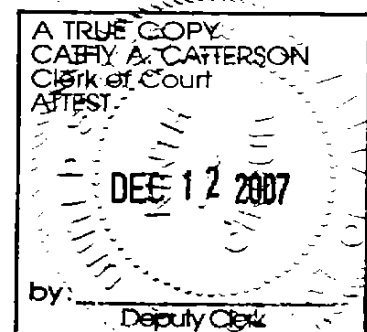
Elyze J.
I, McDonald, swear under penalty of perjury that the services for which costs are taxed were actually and necessarily performed, and that the requested costs were actually expended as listed.

Signature: Elyze McDonald
Date: 29 November 2007

Name of Counsel (printed or typed): Elyze J. McDonald, Carlsmith Ball LLP
Attorney for: Japan Airlines International Co., Ltd.

Date: 12/12/07 Costs are taxed in the amount of \$ 76.50

Clerk of Court
By Carolina New Allen Deputy Clerk



CARLSMITH BALL LLP

DAVID LEDGER

ELYZE MCDONALD

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134 West Soledad Avenue, P.O. Box BF

Hagåtña, Guam 96932-5027

Tel No. 671.472.6813

Attorneys for Appellee

Japan Airlines International Co., Ltd.

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROBERTO J. DEL ROSARIO and
MELANIE DEL ROSARIO,

Plaintiff-Appellant,

vs.

JAPAN AIRLINES INTERNATIONAL
CO., LTD.,

Defendant-Appellee.

NO. 06-16573

PROOF OF SERVICE

I, Elyze McDonald, attorney for Appellee Japan Airlines International Co., Ltd., hereby declare under penalty of perjury of the laws of the United States, that on the 29th day of November 2007, I filed and served via DHL (a third-party express courier) the BILL OF COSTS, upon the office of the Clerk at the United States Court of Appeals as follows:



Clerk at the United States Court of Appeals
95 Seventh Street
San Francisco, CA 94103

Further, on the 29th day of November 2007, I served via Hand Delivery the
BILL OF COSTS, upon Appellant's Counsel of record as follows:

Howard Trapp, Esq.
Howard Trapp Incorporated
200 Saylor Building
139 Chalan Santo Papa
Hagåtña, Guam 96910

Executed this 29th day of November 2007 at Hagåtña, Guam.



ELYZE J. McDONALD